



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : John E. Thompson, et al.
SERIAL NO. : 09/725,019
FILED : November 29, 2000
FOR : DNA ENCODING A PLANT DEOXYHPYSUNE
SYNTHASE, A PLANT EUKARYOTIC INITIATION
FACTOR 5A TRANSGENIC PLANTS AND A METHOD
FOR CONTROLLING SENESCENCE PROGRAMMED
AND CELL DEATH IN PLANTS
GROUP ART UNIT : 1638
EXAMINER : S. Baum

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. 1.47(a)

SIR:

Applicants submit that after diligent effort, inventor Dongen Lily Lu cannot be found or inventor Dongen Lily Lu refuses to join in the present application. A declaration was sent to Dongen Lily Lu on March 19, 2004 and no executed declaration was returned. A reminder electronic letter was sent to Sascha Fedyszyn, vice president of the assignee, on June 3, 2004 requesting the executed declaration from inventor Dongen Lily Lu. No executed declaration was received. The last known address of inventor Dongen Lily Lu is 203 Cadwalader Circle, Exton, Pennsylvania 19341. Accordingly, the present application is being made by inventors John E. Thompson and Tzann-Wei Wang on behalf of themselves and Dongen Lily Lu as evidenced by the attached declaration signed by both John E. Thompson and Tzann-Wei Wang (with Dongen Lilly Lu's signature block being left blank).

06/24/2004 SDENB082 00000045 110600 09725019

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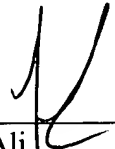
130.00 DA

The Office is authorized to charge the petition fee under §1.17(h), and any other fees associated with the filing of this paper, to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

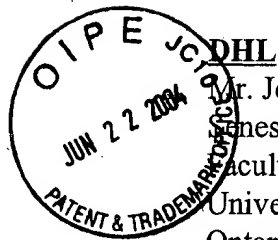
Date: June 22 2004



Zeba Ali
Reg. No. 51,392

1500 K Street, N.W.
Washington, D.C. 20005
Tel: (202) 220-4200
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496569

March 19, 2004



Mr. John E. Thompson
Senesco Technologies, Inc.
Faculty of Science
University of Waterloo
Ontario, CANADA N2L3G1

Re: U.S. Patent Application Serial No. 09/725,019
DNA Encoding a Plant Deoxyhypusine Synthase, a Plant Eukaryotic Initiation
Factor 5A Transgenic Plants and a Method for Controlling Senescence
Programmed and Cell Death in Plants
Our Reference No.: 10799/12

Dear Mr. Thompson:

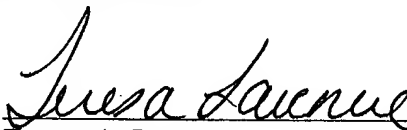
We have enclosed a substitute Declaration and Power of Attorney for the above-identified patent application deleting the prior foreign application from the priority information. Please execute this document and forward it to us as soon as possible so that we may file it in the Patent and Trademark Office. Based on our communications with the Examiner, we expect a notice of allowance to issue soon. But before the Examiner can issue a notice of allowance, we need to file the executed Declarations.

We have sent a copy to Tzann-Wei Wang and Dongen Lily Lu for their signatures as well.

If you have any questions, please feel free to contact us.

Sincerely,

KENYON & KENYON

By: 
Teresa A. Lavenue

TAL/abt

Enclosure

cc: Tzann-Wei Wang (w/encl.)
Dongen Lily Lu (w/encl.)
Sascha Fedyszyn (w/o encl.)

Barnes-Thompson, Angela

From: Barnes-Thompson, Angela
Sent: Thursday, June 03, 2004 1:27 PM
To: 'spf@senesco.com'
Cc: Lavenue, Teresa
Subject: Declaration and Power of Attorney for 10799/12 - Issue Fee due 6/23/04

Reminder Reminder Reminder

Hello Sascha,

It is imperative that we receive the signed Declaration and Power of Attorney forms for matter 12, specifically Dongen Lily Lu's signature. If we do not receive this document, the Issue Fee can't be paid and therefore the case will go abandon. The Issue Fee is due on **June 23, 2004**.

Please respond asap. Firday is Teresa's last day before her mountain climb. Please let us know how you wish to proceed.

Angela Barnes-Thompson
Legal Assistant to Teresa Lavenue
Kenyon & Kenyon
1500 K Street, N.W., Suite 700
Washington, D.C. 20005